

By: Raney, Kacal

H.B. No. 3875

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Rock Prairie Management District No. 1; providing authority to issue bonds; providing authority to impose assessments or fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3908 to read as follows:

CHAPTER 3908. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3908.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of College Station.

(3) "County" means Brazos County.

(4) "Director" means a board member.

(5) "District" means the Rock Prairie Management District No. 1.

Sec. 3908.002. NATURE OF DISTRICT. The Rock Prairie Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3908.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the  
2 district, the legislature has established a program to accomplish  
3 the public purposes set out in Section 52-a, Article III, Texas  
4 Constitution.

5 (b) The creation of the district is necessary to promote,  
6 develop, encourage, and maintain employment, commerce,  
7 transportation, housing, tourism, recreation, the arts,  
8 entertainment, economic development, safety, and the public  
9 welfare in the district.

10 (c) This chapter and the creation of the district may not be  
11 interpreted to relieve the city or the county from providing the  
12 level of services provided as of the effective date of the Act  
13 enacting this chapter to the area in the district. The district is  
14 created to supplement and not to supplant city or county services  
15 provided in the district.

16 Sec. 3908.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
17 The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district  
19 will benefit from the improvements and services to be provided by  
20 the district under powers conferred by Sections 52 and 52-a,  
21 Article III, and Section 59, Article XVI, Texas Constitution, and  
22 other powers granted under this chapter.

23 (c) The creation of the district is in the public interest  
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the  
26 state;

27 (2) eliminating unemployment and underemployment; and

1           (3) developing or expanding transportation and  
2 commerce.

3           (d) The district will:

4           (1) promote the health, safety, and general welfare of  
5 residents, employers, potential employees, employees, visitors,  
6 and consumers in the district, and of the public;

7           (2) provide needed funding for the district to  
8 preserve, maintain, and enhance the economic health and vitality of  
9 the district territory as a community and business center;

10           (3) promote the health, safety, welfare, and enjoyment  
11 of the public by providing pedestrian ways and by landscaping and  
12 developing certain areas in the district, which are necessary for  
13 the restoration, preservation, and enhancement of scenic beauty;  
14 and

15           (4) provide for water, wastewater, drainage, road, and  
16 recreational facilities for the district.

17           (e) Pedestrian ways along or across a street, whether at  
18 grade or above or below the surface, and street lighting, street  
19 landscaping, parking, and street art objects are parts of and  
20 necessary components of a street and are considered to be a street  
21 or road improvement.

22           (f) The district will not act as the agent or  
23 instrumentality of any private interest even though the district  
24 will benefit many private interests as well as the public.

25           Sec. 3908.005. INITIAL DISTRICT TERRITORY. (a) The  
26 district is initially composed of the territory described by  
27 Section 2 of the Act enacting this chapter.

1       (b) The boundaries and field notes contained in Section 2 of  
2 the Act enacting this chapter form a closure. A mistake in the  
3 field notes or in copying the field notes in the legislative process  
4 does not affect the district's:

5           (1) organization, existence, or validity;

6           (2) right to issue any type of bond for the purposes  
7 for which the district is created or to pay the principal of and  
8 interest on the bond;

9           (3) right to impose or collect an assessment; or

10          (4) legality or operation.

11       Sec. 3908.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be  
13 included in:

14           (1) a tax increment reinvestment zone created under  
15 Chapter 311, Tax Code;

16           (2) a tax abatement reinvestment zone created under  
17 Chapter 312, Tax Code;

18           (3) an enterprise zone created under Chapter 2303,  
19 Government Code; or

20           (4) an industrial district created under Chapter 42,  
21 Local Government Code.

22       Sec. 3908.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
23 DISTRICTS LAW. Except as otherwise provided by this chapter,  
24 Chapter 375, Local Government Code, applies to the district.

25       Sec. 3908.008. CONSTRUCTION OF CHAPTER. This chapter shall  
26 be liberally construed in conformity with the findings and purposes  
27 stated in this chapter.

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2           Sec. 3908.051. GOVERNING BODY; TERMS. (a) The district is  
3 governed by a board of 11 voting directors who serve staggered terms  
4 of four years, with 5 or 6 directors' terms expiring June 1 of each  
5 odd-numbered year.

6           (b) The city by resolution may change the number of voting  
7 directors on the board if the governing body of the city determines  
8 that the change is in the best interest of the district. The board  
9 may not consist of fewer than 7 or more than 15 voting directors.

10          Sec. 3908.052. APPOINTMENT OF VOTING DIRECTORS. The mayor  
11 and members of the governing body of the city shall appoint voting  
12 directors. A person is appointed if a majority of those members and  
13 the mayor vote to appoint that person.

14          Sec. 3908.053. NONVOTING DIRECTORS. The board may appoint  
15 nonvoting directors to serve at the pleasure of the voting  
16 directors.

17          Sec. 3908.054. QUORUM. For purposes of determining the  
18 requirements for a quorum of the board, the following are not  
19 counted:

20                 (1) a board position vacant for any reason, including  
21 death, resignation, or disqualification;

22                 (2) a director who is abstaining from participation in  
23 a vote because of a conflict of interest; or

24                 (3) a nonvoting director.

25          Sec. 3908.055. INITIAL VOTING DIRECTORS. (a) The mayor and  
26 members of the governing body of the city shall appoint initial  
27 voting directors by position in accordance with Section 3908.052.

1       (b) Of the initial directors, the terms of directors  
2 appointed for positions 1 through 5 expire June 1, 2015, and the  
3 terms of directors appointed for positions 6 through 11 expire June  
4 1, 2017.

5       (c) This section expires September 1, 2017.

6                   SUBCHAPTER C. POWERS AND DUTIES

7       Sec. 3908.101. GENERAL POWERS AND DUTIES. The district has  
8 the powers and duties necessary to accomplish the purposes for  
9 which the district is created.

10       Sec. 3908.102. IMPROVEMENT PROJECTS AND SERVICES. The  
11 district may provide, design, construct, acquire, improve,  
12 relocate, operate, maintain, or finance an improvement project or  
13 service using any money available to the district, or contract with  
14 a governmental or private entity to provide, design, construct,  
15 acquire, improve, relocate, operate, maintain, or finance an  
16 improvement project or service authorized under this chapter or  
17 Chapter 375, Local Government Code.

18       Sec. 3908.103. DEVELOPMENT CORPORATION POWERS. The  
19 district, using money available to the district, may exercise the  
20 powers given to a development corporation under Chapter 505, Local  
21 Government Code, including the power to own, operate, acquire,  
22 construct, lease, improve, or maintain a project under that  
23 chapter.

24       Sec. 3908.104. NONPROFIT CORPORATION. (a) The board by  
25 resolution may authorize the creation of a nonprofit corporation to  
26 assist and act for the district in implementing a project or  
27 providing a service authorized by this chapter.

1       (b) The nonprofit corporation:

2           (1) has each power of and is considered to be a local  
3 government corporation created under Subchapter D, Chapter 431,  
4 Transportation Code; and

5           (2) may implement any project and provide any service  
6 authorized by this chapter.

7       (c) The board shall select directors from the board to serve  
8 as the board of directors of the nonprofit corporation. The board  
9 may appoint one or more persons who are not directors to the board  
10 of directors of the nonprofit corporation if the governing body of  
11 the city determines that the appointment is in the best interest of  
12 the district. The board of directors of the nonprofit corporation  
13 shall serve in the same manner as the board of directors of a local  
14 government corporation created under Subchapter D, Chapter 431,  
15 Transportation Code, except that a board member is not required to  
16 reside in the district.

17       Sec. 3908.105. AGREEMENTS; GRANTS. (a) As provided by  
18 Chapter 375, Local Government Code, the district may make an  
19 agreement with or accept a gift, grant, or loan from any person.

20       (b) The implementation of a project is a governmental  
21 function or service for the purposes of Chapter 791, Government  
22 Code.

23       Sec. 3908.106. LAW ENFORCEMENT SERVICES. To protect the  
24 public interest, the district may contract with a qualified party,  
25 including the county or the city, to provide law enforcement  
26 services in the district for a fee.

27       Sec. 3908.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The

1 district may join and pay dues to a charitable or nonprofit  
2 organization that performs a service or provides an activity  
3 consistent with the furtherance of a district purpose.

4 Sec. 3908.108. ECONOMIC DEVELOPMENT. (a) The district may  
5 engage in activities that accomplish the economic development  
6 purposes of the district.

7 (b) The district may establish and provide for the  
8 administration of one or more programs to promote state or local  
9 economic development and to stimulate business and commercial  
10 activity in the district, including programs to:

11 (1) make loans and grants of public money; and

12 (2) provide district personnel and services.

13 (c) The district may create economic development programs  
14 and exercise the economic development powers provided to  
15 municipalities by:

16 (1) Chapter 380, Local Government Code; and

17 (2) Subchapter A, Chapter 1509, Government Code.

18 Sec. 3908.109. PARKING FACILITIES. (a) The district may  
19 acquire, lease as lessor or lessee, construct, develop, own,  
20 operate, and maintain parking facilities or a system of parking  
21 facilities, including lots, garages, parking terminals, or other  
22 structures or accommodations for parking motor vehicles off the  
23 streets and related appurtenances.

24 (b) The district's parking facilities serve the public  
25 purposes of the district and are owned, used, and held for a public  
26 purpose even if leased or operated by a private entity for a term of  
27 years.

1       (c) The district's parking facilities are parts of and  
2 necessary components of a street and are considered to be a street  
3 or road improvement.

4       (d) The development and operation of the district's parking  
5 facilities may be considered an economic development program.

6       Sec. 3908.110. ANNEXATION OF LAND. The district may annex  
7 land as provided by Subchapter J, Chapter 49, Water Code.

8       Sec. 3908.111. APPROVAL BY CITY. (a) Except as provided by  
9 Subsection (c), the district must obtain the approval of the city  
10 for:

11               (1) the issuance of bonds;

12               (2) the plans and specifications of an improvement  
13 project financed by bonds; and

14               (3) the plans and specifications of an improvement  
15 project related to the use of land owned by the city, an easement  
16 granted by the city, or a right-of-way of a street, road, or  
17 highway.

18       (b) The district may not issue bonds until the governing  
19 body of the city adopts a resolution or ordinance authorizing the  
20 issuance of the bonds.

21       (c) If the district obtains the approval of the city of a  
22 capital improvements budget for a period not to exceed 10 years, the  
23 district may finance the capital improvements and issue bonds  
24 specified in the budget without further approval from the city.

25       (d) The governing body of the city:

26               (1) is not required to adopt a resolution or ordinance  
27 to approve plans and specifications described by Subsection (a);

1 and

2 (2) may establish an administrative process to approve  
3 plans and specifications described by Subsection (a) without the  
4 involvement of the governing body.

5 Sec. 3908.112. NO EMINENT DOMAIN POWER. The district may  
6 not exercise the power of eminent domain.

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

8 Sec. 3908.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
9 board by resolution shall establish the number of directors'  
10 signatures and the procedure required for a disbursement or  
11 transfer of district money.

12 Sec. 3908.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
13 The district may acquire, construct, finance, operate, or maintain  
14 any improvement or service authorized under this chapter or Chapter  
15 375, Local Government Code, using any money available to the  
16 district.

17 Sec. 3908.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
18 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
19 service or improvement project with assessments under this chapter  
20 unless a written petition requesting that service or improvement  
21 has been filed with the board.

22 (b) A petition filed under Subsection (a) must be signed by  
23 the owners of a majority of the assessed value of real property in  
24 the district subject to assessment according to the most recent  
25 certified tax appraisal roll for the county.

26 Sec. 3908.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
27 The board by resolution may impose and collect an assessment for any

1 purpose authorized by this chapter in all or any part of the  
2 district.

3 (b) An assessment, a reassessment, or an assessment  
4 resulting from an addition to or correction of the assessment roll  
5 by the district, penalties and interest on an assessment or  
6 reassessment, an expense of collection, and reasonable attorney's  
7 fees incurred by the district:

8 (1) are a first and prior lien against the property  
9 assessed;

10 (2) are superior to any other lien or claim other than  
11 a lien or claim for county, school district, or municipal ad valorem  
12 taxes; and

13 (3) are the personal liability of and a charge against  
14 the owners of the property even if the owners are not named in the  
15 assessment proceedings.

16 (c) The lien is effective from the date of the board's  
17 resolution imposing the assessment until the date the assessment is  
18 paid. The board may enforce the lien in the same manner that the  
19 board may enforce an ad valorem tax lien against real property.

20 (d) The board may make a correction to or deletion from the  
21 assessment roll that does not increase the amount of assessment of  
22 any parcel of land without providing notice and holding a hearing in  
23 the manner required for additional assessments.

24 Sec. 3908.155. EXEMPTIONS. Section 375.162, Local  
25 Government Code, does not apply to an organization exempt from  
26 federal income tax under Section 501(a), Internal Revenue Code of  
27 1986, by being described by Section 501(c)(3) of that code,

1 operating in the district. The organization is not exempt from  
2 paying a district assessment.

3 Sec. 3908.156. ASSESSMENT ABATEMENT. The district may  
4 designate reinvestment zones and may grant abatements of an  
5 assessment on property in the zones.

6 Sec. 3908.157. NO AD VALOREM TAX. The district may not  
7 impose an ad valorem tax.

8 SUBCHAPTER E. BONDS

9 Sec. 3908.201. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
10 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
11 determined by the board.

12 (b) The district may issue, without an election, bonds,  
13 notes, or other obligations payable wholly or partly from  
14 assessments, impact fees, revenue, contract payments, grants, or  
15 other district money, or any combination of those sources of money,  
16 to pay for any authorized district purpose.

17 Sec. 3908.202. CITY NOT REQUIRED TO PAY DISTRICT  
18 OBLIGATIONS. Except as provided by Section 375.263, Local  
19 Government Code, the city is not required to pay a bond, note, or  
20 other obligation of the district.

21 SECTION 2. Rock Prairie Management District No. 1 initially  
22 includes all territory contained in the following area:

23 All that certain tract or parcel of land lying and being  
24 situated in the Crawford Burnett league (abstract no. 7), Robert  
25 Stevenson league (abstract no. 54) and Thomas Caruthers league  
26 (abstract no. 9) in College Station, Brazos County, Texas,  
27 generally being an area centered around the intersection of Rock

1 Prairie Road and State Highway no. 6, and the boundary being more  
2 particularly described as follows:

3 Beginning at the intersection of the south right-of-way line  
4 of Rock Prairie Road East (60 feet south of surveyed centerline) and  
5 the east boundary of Block 7 of the Scott & White Healthcare  
6 Subdivision (vol. 10179, pg. 50), being the northeast corner of Lot  
7 1, Block 7 of said subdivision, and from where the City of College  
8 Station GPS control monument no. 9 bears S 82° 02' 35" E - 7016.5  
9 feet.

10 Thence along the east boundary lines of said Scott & White  
11 subdivision as follows:

12 S 2° 42' 34" E - 1023.83 feet, S 50° 49' 32" W - 930.60  
13 feet, S 47° 37' 11" E - 128.13 feet and S 41° 15' 39" W - 1224.44 feet  
14 to the northeast right-of-way line of State Highway no. 6;

15 Thence along the said highway northeast right-of-way lines as  
16 follows:

17 S 34° 27' 26" E - 55.00 feet, S 27° 43' 31" E - 192.30  
18 feet, S 36° 45' 17" E - 383.87 feet and S 42° 27' 25" E - 105.18 feet  
19 to a southeast line of that M.D. Wheeler, Ltd. 10.01 acre Tract One  
20 (vol. 3007, pg. 341);

21 Thence along the southeast lines of said M.D. Wheeler Tract  
22 One and the southwest lines of 71.52 acre Tract Two as follows:

23 N 41° 43' 32" E - 194.25 feet, N 21° 27' 46" E - 145.09  
24 feet, S 46° 46' 09" E - 304.24 feet and S 47° 42' 33" E - 177.08 feet  
25 to the west corner of that IHD Properties, LLC 2.77 acre Tract One  
26 (vol. 10144, pg. 203);

27 Thence along the north, east and south lines of said IHD

1 Properties tract as follows:

2           N 72° 19' 02" E - 202.14 feet, S 47° 42' 56" E - 638.83  
3 feet and S 42° 17' 04" W - 175.00 feet to the northeast common corner  
4 of the Harley Subdivision (vol. 3961, pg. 236) and Cooper's  
5 Subdivision (vol. 4708, pg. 230) in a southwest line of said Wheeler  
6 Tract Two;

7           Thence S 47° 42' 16" E - 1053.70 feet along the northeast line  
8 of said Cooper's Subdivision and continuing along the northeast  
9 line of the Barker Subdivision (vol. 5101, pg. 182) to its east  
10 corner;

11           Thence S 38° 51' 07" W - 279.95 feet along the southeast line  
12 of said Barker Subdivision to its south corner in the northeast line  
13 of State Highway no. 6, also being a west corner of the City of  
14 College Station 46.60 acre tract (vol. 3310, pg. 321);

15           Thence crossing said highway and along its southwest  
16 right-of-way lines as follows:

17           S 58° 32' 52" W - 371.50 feet, N 49° 25' 00" W - 238.23  
18 feet, N 43° 42' 22" W - 201.00 feet, N 49° 25' 00" W - 1400.00 feet, N  
19 46° 52' 14" W - 413.20 feet, N 38° 34' 52" W - 507.10 feet, N 32° 13'  
20 53" W - 534.28 feet, N 27° 56' 32" W - 200.56 feet, N 32° 13' 53" W -  
21 400.00 feet, N 35° 05' 29" W - 200.28 feet and N 82° 25' 23" W - 78.10  
22 feet to the westerly north corner of Lot 1, Block 1 of Graham Corner  
23 Plaza (vol. 5878, pg. 129) in the southeast line of Graham Road;

24           Thence N 40° 30' 48" W - 71.60 feet across Graham Road to the  
25 east corner of the remainder of the Jack E. Winslow, Jr. 3.0 acre  
26 tract (vol. 2291, pg 140 and vol. 2835, pg. 180) in the northwest  
27 line of Graham Road (vol. 2086, pg. 58);

1           Thence N 32° 13' 25" W - 311.17 feet, along the southwest  
2 right-of-way line of State Highway no. 6, to the north corner of the  
3 said Winslow 3.0 acre tract;

4           Thence N 43° 01' 34" W - 187.16 feet, continuing along the  
5 southwest highway right-of-way to its intersection with the  
6 southeast right-of-way line of Birmingham Drive, at the north  
7 corner of Lot 1, Block 2 of Belmont Place (vol. 816, pg. 681);

8           Thence S 56° 19' 13" W - 882.77 feet, along the said southeast  
9 line of Birmingham Drive, along the northwest line of said Belmont  
10 Place (vol. 816, pg. 681), Belmont Place Section Three (vol. 9485,  
11 pg. 231) and across Longmire Drive to the westerly north corner of  
12 Lot 3, Block Four of Belmont Place Section Three (vol. 8104, pg.  
13 183);

14           Thence along the east, south and west lines of said Lot 3,  
15 Block Four as follows:

16                   S 76° 46' 03" E - 34.73 feet, S 33° 37' 31" E - 63.93 feet  
17 to the beginning of a tangent curve to the right with a radius of  
18 605.00 feet, along said curve through a central angle of 13° 05' 29"  
19 to the point of tangency, S 20° 32' 02" E - 77.73 feet to the east  
20 corner of Lot 3, S 56° 19' 13" W - 192.21 feet and N 33° 40' 47" W -  
21 302.00 feet to the west corner of Lot 3 in the southeast line of  
22 Birmingham Drive;

23           Thence along the southeast right-of-way lines of Birmingham  
24 Drive (vol. 1024, pg. 826) as follows:

25                   S 56° 19' 13" W - 578.30 feet to the beginning of a  
26 tangent curve to the left with a radius of 379.78, along said curve  
27 through a central angle of 8° 39' 09" to the point of tangency and S

1 47° 40' 04" W - 248.52 feet to the northeast line of the City of  
2 College Station 35.00 acre tract (vol. 692, pg. 506);

3 Thence along the northeast lines of the said City 35.00 acre  
4 tract as follows:

5 S 48° 01' 03" E - 522.82 feet and S 46° 38' 56" E - 421.66  
6 feet to the northwest right-of-way of Graham Road (vol. 1955, pg.  
7 245);

8 Thence along the said northwest right-of-way lines of Graham  
9 Road as follows:

10 S 41° 33' 01" W - 18.30 feet, S 42° 04' 18" W - 521.46 feet  
11 and S 41° 03' 13" W - 319.08 feet to the southwest line of said 35.00  
12 acre tract;

13 Thence N 47° 40' 02" W - 1753.06 feet along the said southwest  
14 line of the 35.00 acre tract to the west corner of same in the common  
15 line of the F.M. and Olive Arnold 50 acre tract (vol. 200, pg. 445)  
16 and the Texas Hotel Management Corporation 17.215 acre tract (vol.  
17 3665, pg. 248);

18 Thence along the said common Arnold and Texas Hotel lines and  
19 continuing along the northwest lines of Arnold Road (vol. 5027, pg.  
20 162) as follows:

21 S 43° 02' 52" W - 190.23 feet, S 42° 48' 34" E - 37.00  
22 feet, S 43° 06' 26" W - 10.80 feet, N 42° 48' 34" W - 37.00 feet, S 43°  
23 06' 26" W - 34.60 feet, S 65° 14' 25" W - 160.32 feet, N 47° 33' 07" W -  
24 32.38 feet, S 63° 10' 11" W - 180.26 feet, to the beginning of a  
25 tangent curve to the left with a radius of 405.00 feet, along said  
26 curve through a central angle of 17° 37' 25" to the end of said  
27 curve, and S 55° 19' 37" W - 5.32 feet to the east corner of the City

1 of College Station 9.93 acre tract (vol. 448, pg. 230);

2 Thence along the south, west and north boundary of Brian  
3 Bachmann Athletic Park (formerly Southwood Athletic Park) and  
4 continuing along Rock Prairie Road as follows:

5 S 41° 59' 07" W - 1027.13 feet along the northwest line  
6 of Arnold Road and southeast lines of the said City 9.93 acre tract  
7 and the City 15.89 acre tract (vol. 448, pg. 232), N 43° 45' 01" W -  
8 1185.92 feet, along the southwest line of said 15.89 acre tract to  
9 the southeast right-of-way line of Rock Prairie Road (80' R.O.W. -  
10 vol. 779, pg. 571), N 51° 57' 01" E - 1177.50 feet along said  
11 southeast line of Rock Prairie Road to the beginning of a tangent  
12 curve to the right with a radius of 1006.62 feet in the southeast  
13 boundary of Southwood Terrace Phase 3-C (vol. 523, pg. 431), along  
14 said curve through a central angle of 8° 11' 51" to the point of  
15 tangency, N 60° 08' 52" E - 1486.99 feet along the southeast boundary  
16 of Southwood Terrace Phase 3-B (vol. 579, pg. 380) and Phase 3-A  
17 (vol. 519, pg. 378) to the beginning of a tangent curve to the right  
18 with a radius of 960.00 feet, along said curve through a central  
19 angle of 18° 38' 31" to the point of tangency, N 78° 47' 23" E - 14.90  
20 feet and N 11° 12' 37" W - 79.72 feet across Rock Prairie Road to the  
21 southwest corner of the Remington Subdivision (vol. 1239, pg. 219);

22 Thence along the west boundary lines of said Remington  
23 Subdivision, the northwest boundary of Tract B, Ponderosa Place  
24 Section Two (vol. 2680, pg. 321) and Longmire Place (vol. 3377, pg.  
25 155) and along the southwest boundary of Ponderosa Place (vol. 490,  
26 pg. 169) as follows:

27 N 26° 55' 04" W - 252.32 feet, N 17° 18' 19" E - 259.07

1 feet, N 42° 34' 17" E - 624.79 feet and N 40° 39' 13" W - 796.43 feet  
2 to the west corner of Lot 4, Block 21 of Ponderosa Place, in the  
3 southeast line of Ponderosa Road;

4 Thence N 49° 20' 47" E - 1150.00 feet, along the southeast  
5 right-of-way line of Ponderosa Road, to the north corner of Lot 1,  
6 Block 19 of Ponderosa Place, in the southwest right-of-way of State  
7 Highway no. 6;

8 Thence along the said highway southwest right-of-way lines as  
9 follows:

10 S 40° 39' 13" E - 480.00 feet, S 32° 12' 28" E - 185.04  
11 feet, S 41° 13' 02" E - 80.23 feet and S 17° 22' 13" E - 34.06 feet to  
12 the southeast line of Lot 1, Block 20 of Ponderosa Place;

13 Thence N 78° 53' 01" E - 493.32 feet, across State Highway no.  
14 6 to the west corner of Lot 2-B, Block One of Cornerstone Commercial  
15 Section One (vol. 3922, pg. 282) in the southeast right-of-way line  
16 of Woodcreek Drive;

17 Thence along the southeast right-of-way of Woodcreek Drive as  
18 follows:

19 Along the arc of a curve to the right with a radius of  
20 890.00 feet, through a central angle of 9° 52' 07", the chord of  
21 which bears N 52° 46' 54" E - 153.10 feet, N 57° 42' 58" E - 318.00  
22 feet to the beginning of a tangent curve to the left with a radius of  
23 835.00 feet, along said curve through a central angle of 8° 00' 00"  
24 to the north corner of Lot 1 (vol. 3283, pg. 201);

25 Thence along the northeast lines of Lot 1 and Lot 2-A of said  
26 Cornerstone Commercial Section One as follows:

27 S 40° 17' 03" E - 155.81 feet to the east common corner of

1 Lot 1 and Lot 2-A and the beginning of a tangent curve to the right  
2 with a radius of 600.00 feet, along said arc through a central angle  
3 of  $16^{\circ} 01' 29''$  to the point of tangency, and  $S 24^{\circ} 15' 34'' E - 280.69$   
4 feet to the most easterly corner of said Lot 2-A;

5 Thence along the south boundary lines of Woodcreek Section 4  
6 (vol. 1315, pg. 217), Section Six South (vol. 2109, pg. 199) and  
7 Section Seven (vol. 2580, pg. 113), defining the north boundary  
8 lines of the remainder of the Edward Jr. and Beatrice Uvaceck tract  
9 (vol. 274, pg. 383 and vol. 321, pg. 664), as follows:

10 N  $24^{\circ} 13' 07'' E - 555.17$  feet, N  $79^{\circ} 45' 53'' E - 313.69$   
11 feet, S  $48^{\circ} 05' 30'' E - 216.00$  feet, S  $44^{\circ} 28' 03'' E - 75.26$  feet, S  $28^{\circ}$   
12  $11' 32'' E - 108.12$  feet, S  $34^{\circ} 34' 23'' E - 162.74$  feet, S  $39^{\circ} 46' 00'' E$   
13  $- 149.62$  feet, S  $44^{\circ} 34' 42'' E - 282.83$  feet, N  $24^{\circ} 16' 33'' E - 134.65$   
14 feet and N  $68^{\circ} 52' 20'' E - 230.83$  feet to the northwest corner of the  
15 Riviera Addition (vol. 6607, pg. 97);

16 Thence S  $15^{\circ} 28' 15'' E - 269.56$  feet, along the west line of  
17 said Riviera Addition, to the north right-of-way line of Rock  
18 Prairie Road East (59.0 feet north of surveyed centerline);

19 Thence S  $86^{\circ} 27' 34'' E - 961.09$  feet, along said north  
20 right-of-way line, to its intersection with an extension of the  
21 east boundary of Block 7 of the Scott & White Healthcare  
22 Subdivision;

23 Thence S  $2^{\circ} 42' 34'' E - 120.04$  feet, across Rock Prairie Road,  
24 to the Point of Beginning and containing 437.07 acres of land more  
25 or less.

26 SECTION 3. (a) The legal notice of the intention to  
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

6 (b) The governor, one of the required recipients, has  
7 submitted the notice and Act to the Texas Commission on  
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed  
10 its recommendations relating to this Act with the governor,  
11 lieutenant governor, and speaker of the house of representatives  
12 within the required time.

13 (d) The general law relating to consent by political  
14 subdivisions to the creation of districts with conservation,  
15 reclamation, and road powers and the inclusion of land in those  
16 districts has been complied with.

17 (e) All requirements of the constitution and laws of this  
18 state and the rules and procedures of the legislature with respect  
19 to the notice, introduction, and passage of this Act have been  
20 fulfilled and accomplished.

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2013.